

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 939 OF 2006

Kamani Employees Union ... Petitioner

 $V/S.$

Appellate Authority for Industrial ... Respondent
And Financial Reconstruction & Ors.

Mr. C.U. Singh, Sr. Counsel i/b. Prakash Mahadik for
the petitioner.

Mr. Rohit Kapadia, Sr. Counsel with Mr. Zal Andhyaujina & Mr. Ankit Rajput i/b. Dave & Girish & Co. for respondent No. 3.

Mr. Bhatt, Sr. Counsel with Mr. D.M. Thakkar i/b. Pragma Thakkar & Co. for respondent No.5.

Mr. Janak Dwarkadas, Sr. Counsel with Mrs. R.V. Thakkar for respondent No. 18.

Mr. S.S. Aradhye i/b. M.S. Bodhanwala & Co. for
respondent No.6.

Mr. Shiv Motriya for respondent No. 17

Mrs. S. Ajitkumar for respondent No. 12.

**CORAM : F.I. REBELLO &
ANOOP V. MOHTA, JJ.**

DATED : 26th April, 2006

P.C.

Rule. Heard forthwith.

2. Heard parties. As in the meantime the BIFR has sanctioned scheme, on behalf of petitioners, the

learned Counsel makes statement that they would prefer an appeal within this week. Statement accepted. Since the petitioners are preferring appeal, the order of BIFR not to be further acted upon up to 8th May,

2006. Considering the earlier order of this Court dated 21st April, 2006, Company not to take steps pursuant to order of BIFR. We make it clear that the appeal preferred by the petitioners herein will be heard by AAIFR without considering the objections made by them earlier and which was the subject matter of the present petition. We further make it clear that AAIFR will consider the interim relief uninfluenced by the order of this Court.

3. Petition disposed of accordingly.

[F.I. REBELLO, J.]

[ANOO P V. MOHTA, J.]